

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. 3:15-cr-128(1)
Plaintiff,	:	Judge Thomas M. Rose
v.	:	
JOSEPH RAYMOND GRAY,	:	
Defendant.	:	

AMENDED FINAL ORDER OF FORFEITURE

Upon the United States' Motion for Amended Final Order of Forfeiture and the Court's review of the record, the Court HEREBY FINDS THAT:

On January 17, 2017, the Court entered an Agreed Preliminary Order of Forfeiture, finding that all right, title, and interest in the following property (the "subject property") had been forfeited to the United States under 7 U.S.C. § 2024(f):

- a. U.S. Bank Account #*****6146 in the name of Joseph R. Gray dba Butcher Shop Food Distributors, LLC in the amount of \$10,670.92;
- b. U.S. Bank Account #*****7023 in the name of Butcher Shop Food Distributors, LLC in the amount of \$1,300.05;
- c. U.S. Bank Account #*****8847 in the name of Joseph R. Gray dba Butcher Shop Food Distributors, LLC in the amount of \$286.14;
- d. \$8,205.00 in U.S. Currency; and
- e. \$3,474.00 in U.S. Currency.

On March 20, 2017, the Court held defendant Joseph Gray's sentencing hearing and ordered him to pay restitution to the USDA-OIG in the amount of \$3,116.30. The Court also ordered that the amount of restitution be deducted from forfeitable assets, leaving a balance of

\$20,819.81 subject to forfeiture to the United States. As of August 4, 2021, the defendant owes restitution in the amount of \$1,066.30.

The United States published notice of this forfeiture action and its intent to dispose of the subject property in accordance with the law on an official internet government forfeiture site (www.forfeiture.gov) for at least 30 consecutive days, beginning on January 21, 2017.

The United States did not send direct written notice of the Agreed Preliminary Order of Forfeiture because there was no person who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the subject property in the ancillary proceeding.

No person or entity has filed a timely petition with the Court asserting any interest in the subject property or objecting to its proposed forfeiture.

The defendant had an interest in the subject property, the United States has established the requisite nexus between the subject property and the offense of conviction, and the United States has established that the property is subject to forfeiture pursuant to 7 U.S.C. § 2024(f).

Accordingly, on April 12, 2017, the Court entered a Final Order of Forfeiture against the subject property. The Final Order of Forfeiture did not provide for the forfeiture to be reduced by the amount of restitution.

Following entry of an order declaring property forfeited, the Court may take action “to protect the interest of the United States in the property ordered forfeited.” 21 U.S.C. § 853(g). In order to protect the interest of the government victim in this case and to reconcile the orders of forfeiture with the Judgment, the United States moves in the instant motion for an amended final order of forfeiture that will direct the United States Secret Service to release \$1,066.30 of the forfeited funds to the Clerk of Court for payment of the defendant’s remaining restitution balance. Specifically, the United States seeks to reduce the forfeiture of \$3,474.00 in U.S. Currency (item

“e” in the ABOVE REFERENCED subject property list) by \$1,066.30, leaving a balance of \$2,407.70 for forfeiture to the United States.

For good cause shown, the United States’ Motion for Amended Final of Forfeiture is GRANTED.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. All right, title, and interest in the following property is condemned and forfeited to the United States under 7 U.S.C. § 2024(f), and no right, title, or interest shall remain in any other person or entity:

- a. U.S. Bank Account #*****6146 in the name of Joseph R. Gray dba Butcher Shop Food Distributors, LLC in the amount of \$10,670.92;
- b. U.S. Bank Account #*****7023 in the name of Butcher Shop Food Distributors, LLC in the amount of \$1,300.05;
- c. U.S. Bank Account #*****8847 in the name of Joseph R. Gray dba Butcher Shop Food Distributors, LLC in the amount of \$286.14;
- d. \$8,205.00 in U.S. Currency; and
- e. \$2,407.70 in U.S. Currency, as amended.

2. The United States shall dispose of the property in accordance with the law.

3. The United States Secret Service or its delegate shall REMIT \$1,066.30 of the \$3,474.00 in U.S. Currency (item “e” in the subject property list) to the Clerk of Court to be applied to the defendant’s remaining balance of restitution.

4. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Amended Final Order of Forfeiture.

IT IS SO ORDERED.

s/Thomas M. Rose

Dated: 8/6/21

THOMAS M. ROSE
UNITED STATES DISTRICT COURT JUDGE